

STATEMENT OF THE HONORABLE GREGORY S. **LASHUTKA**

MAYOR OF COLUMBUS

FEBRUARY 14, 1997

Chairman **Oxley** and other Members of the Subcommittee, I thank you for asking me to appear today and **testify** on this important issue. Fii of all, I would like to welcome you to Columbus. The citizens of Central Ohio are justifiably proud of the quality of **life** we have to offer, which reflects **all** of our dedicated efforts to preserve the environment which we share with one another. I will relate to you some of the things we have done locally in Columbus to insure a safe and clean region. I will also discuss what the Federal Government should and should not do to assist us in our efforts.

Initially, I would like to **tell** you what I think is the **real** reason for our success in not **only** environmental protection, but in most public endeavors we engage in here in Columbus. Our basic approach is to always seek the middle ground and work together whenever possible to achieve our **goals**. We establish partnerships with **business**, the non-profit sector, educational institutions, or any **organization** that **can** bring resources and energy to bear in solving a problem or meeting a need. Our citizens have little tolerance for **partisan** politics or ideological **differences** obstructing any path to success. Our basic mode of behavior is to always work together with whomever can help.

This cooperative, inclusive, bipartisan approach is **all** too **often** missing when we craft national policies. This is particularly true in the environmental **area**, where the **anti-environmental** or the anti-growth **label** is thrown about with too little regard for the truth. No one **really** doubts that we **all** want to leave our children the **healthiest** planet possible. Name calling, bickering and a refusal to work together is a disservice to everyone.

In 1996 I served as President of the National League of Cities and personally **observed** how a cooperative approach to renewing important environmental legislation can work. Last year's reauthorization of the Safe Drinking Water Act was achieved by **parties** of vastly differing views working together to come up with a **bill** that at **least** partially met the needs of everyone while being wholly unacceptable to no one. It protected the health and safety of our nations **drinking** water without placing undue and **costly** financial and compliance burdens on **local** government. This approach should be the cooperative model for **legislating** on future environmental issues, including **Superfund** legislation.

Another **useful** approach to developing environmental legislation can be found in the work of **The Presidential/** Congressional Commission on Risk Assessment and Risk Management. This **group** of ten experts on public **health** and safety were appointed by the President, the Congress and the national academy of sciences **and** represented a wide range of views **from** industry, **environmental groups**, academia and the **law**. They were "charged with making a **full** investigation of the **policy** implications and appropriate uses of risk assessment and risk management in regulatory **programs** under various federal laws which may result **from** exposure to hazardous substances." **Their**

recently released report defines a **six** stage process for risk management that I believe it merits consideration in evaluating environmental problems. This process would allow more comprehensive assessments of any threat to the public health and safety, would insure that **all** technical perspectives, public values, perceptions and ethics are considered, and allow for new information to enter the **process** at any stage. The report is a **tremendous** addition in the area of risk **assessment and** protecting the public health and I commend it to you.

I thought it might be **helpful** if I now outlined a couple of **instances** where the City of Columbus partnered with other governmental **units** and the private sector to turn an environmental eyesore into a productive, job producing enterprise. These examples are important because they were completed without **either** federal **financial** assistance **or the** hard hammer of the federal **EPA** forcing action.

The **first** is a **facility** for Municipal **vehicles** we refer to **as** the Short Street Garage. **This** site contained a **large** number of cleaning solvents and painting **materials**. Initial cost estimates for the cleanup made in the late 1980s exceeded \$2.7 million because we had to clean the property to a non-detect **level**. Working **cooperatively** with the State **EPA and adjusting the** cleanup to a **level** that protected **health**, the City was able to accomplish the cleanup for just more than **\$150,000**. While moving **toward** this much more reasonable **result** took an inordinate amount of **time**, it did show that good environmental remediation can occur through cooperative state and local **partnerships**. The federal government was **not involved at anytime in this process**, and the **result** was positive for the City's taxpayers **and** the environment. Any legislative changes should

facilitate rather than obstruct such state and local cooperation

A second **excellent** example of excellent state and local cooperation in cleaning up an environmental problem in the soon to be opened Adams Mark Hotel **in** Downtown Columbus. This 415 room hotel, the former Sheraton Columbus, was closed for **financial reasons** in 1987. This hotel is **centrally** located in Downtown **Columbus** but sat vacant for many years. The asbestos in the hotel made it what I **feel** was a classic urban **brownfields** site. Many investors shied away **from** the site because of the potential **cost** of removing the asbestos. **Yet, after** much **perseverance and by providing limited tax abatements as an incentive, the City was able to interest** a developer in removing the asbestos, renovating and reopening the hotel. This **will** happen **next** month bringing 250 new jobs to Downtown **Columbus**. Just as importantly, the City **was** able to avoid having to solve this **problem** solely with taxpayer dollars. Once **again**, these cleanups occurred without the suspicious **glare** of the U.S. EPA

I must note that neither of the above-mentioned projects is a **superfund** site. In **fact, there** are no **superfund** sites in Columbus. **Yet**, I think these **examples** provide valuable instruction on how good environmental policy can be **executed**, and how any **legislation** must attempt to **create** an environment conducive to such **cooperation**.

I would like to **make a specific comment** on the **pending superfund** reauthorization. As **you** know there are several challenges which must be **addressed** if our country ever hopes to clean up the worst hazardous sites without **bankrupting** government **and business in the process**. One of the

biggest problems urban areas face **in cleaning up any** seriously **contaminated** site is the cloud of catastrophic **liability that** now looms **over** many of them. The possibility of lawsuits and multi-million dollar **costs frighten** most legitimate investors and developers away. As a **result, these brownfields** sit as vacant **eyesores** while new jobs are **generated** at **greenfields** sites in **suburban** and **rural** areas. The Ohio **Brownfields Law** is a model for state voluntary **cleanup programs**, and is instructive **in** how a federal **superfund rewrite** should proceed.

Once again, thank you for inviting me to **testify** and I would be happy to **answer** any questions **the** Subcommittee might have.